

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EVIE MARTINEZ-WINCHESTER,

Plaintiff,

v.

Commissioner of Social Security
Administration,

Defendant.

Civil No. 6:24-cv-00054-YY

ORDER OF REMAND

Based on the stipulation of the parties, the Court hereby ORDERS that the claimant's Title XVI application for supplemental security income benefits be remanded to the agency for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the Administrative Law Judge will reevaluate the claimant's alleged symptoms; as warranted, reevaluate the claimant's maximum residual functional capacity; if warranted by the expanded record, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on the claimant's ability to perform other work in the national economy; and offer the claimant the opportunity for a hearing, take any further action needed to complete the administrative record, and issue a new decision.

After judgment, Plaintiff may be entitled to reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

IT IS SO ORDERED this 4th day of October, 2024.

/s/ Youlee Yim You

UNITED STATES MAGISTRATE JUDGE

Submitted by:

Natalie K. Wight
United States Attorney

Kevin Danielson
Executive Assistant U.S. Attorney

Mathew Pile
Associate General Counsel
Office of Program Litigation, Office 7

s/Jennifer C. Forsyth
JENNIFER C. FORSYTH
Special Assistant U.S. Attorney
Office of Program Litigation, Office 7
Office of the General Counsel
Social Security Administration
Attorneys for Defendant